

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Kristin William HUGHES,

Petitioner,

v.

Robert L. AYERS Jr., Warden of San Quentin
State Prison,

Respondent.

Case Number 3-3-cv-2666-JSW

DEATH-PENALTY CASE

ORDER DIRECTING FILING OF
STATEMENT

On October 24, 2005, the Court issued an order holding the present action in abeyance pending the completion of exhaustion proceedings by Petitioner in State court. The specific exhaustion proceedings that formed the basis for holding the present action in abeyance have been completed with the denial of relief by the Supreme Court of California. However, related litigation in State court pursuant to California Penal Code § 1054.9 (West 2007) and *In re Steele*, 85 P.3d 444 (Cal. 2004), is ongoing. It is thus unclear whether this Court shift lift the stay of the present proceedings at this time, await the conclusion of the current State-court proceedings, or take some other action regarding the management of these federal habeas proceedings.

Accordingly, and good cause appearing therefor, the parties shall meet and confer and, within thirty days of the issuance of the present order, shall file a joint statement indicating whether the stay of the present action should be lifted. In the event that the parties agree that the

1 stay should be lifted, the parties shall file a joint case-management statement with a proposed
2 schedule or schedules.

3 *It is so ordered.*

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6 DATED: ____April 17, 2007____

7 
JEFFREY S. WHITE
United States District Judge